

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

-against-

00-CR-72 (FJS)

CHARLES M. BARBER, CHARLES H. BARBER,
and HELEN J. BARBER,

Defendants.
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Helen J. Barber, being duly sworn deposes and says:


1. I submit this affidavit in support of the letter request of January 3, 2006, submitted on my behalf by my attorney Richard Ware Levitt, for permission to waive my appearance at the January 27, 2006 resentencing hearing.
2. I suffer from severe high blood pressure, which is exacerbated by stress. The stress of appearing in court, including the emotional stress of seeing my husband and son whom I have not seen since our sentencing in this case, will adversely affect my blood pressure.
3. I have been informed that if I were produced in court, I would, at the discretion of the officials at Danbury be permitted to bring with me, if anything, only a minimal dosage of my blood pressure medication. Thus, I am very concerned that I might have little or none of the necessary medication while I am away from Danbury.
4. Finally, if I leave Danbury for a court appearance, I will lose my bunk, and upon my return be placed in the SHU pending the availability of another bunk. The SHU is extremely uncomfortable and often crowded to overcapacity with people waiting for beds. At times it is so overcrowded that some women must sleep on the floor. I do not wish to lose my present bunk and be placed in the SHU for days, or quite possibly weeks or months until a bed becomes available.

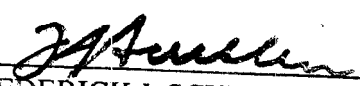
5. I fully understand the importance of the January 27, 2006 resentencing hearing, however, for all of the above reasons, and because I believe that my attorney can more than adequately represent my interests in my absence, I respectfully waive my appearance at the aforementioned proceeding.


HELEN J. BARBER

Sworn to before me this
16th day of January, 2006


Notary Public


Casemanager,
Authorized by the Act of July 7, 1955,
as amended, to administer oaths
(18 USC 4004). Dated 01/16/2006

SO ORDERED

FREDERICK J. SCULLIN, JR.
U.S. DISTRICT JUDGE
1/20/06